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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/823,193

04/13/2004

John S. Lawrence

4044

7590

07/06/2006

John S. Lawrence
PO Box 41
Kemblesville, PA 19347

EXAMINER

NGUYEN, TUAN N

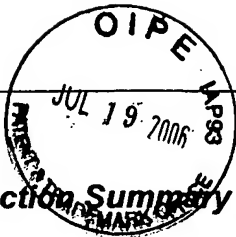
ART UNIT

PAPER NUMBER

3751

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.

10/823,193

Applicant(s)

LAWRENCE, JOHN

Examiner

Tuan N. Nguyen

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-11 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

**Notice of References Cited**

Application/Control No.

10/823,193

Applicant(s)/Patent Under

Reexamination

LAWRENCE, JOHN

Examiner

Tuan N. Nguyen

Art Unit

3751

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,139,357	08-1992	Reents, Terry R.	401/146
*	B	US-4,639,156	01-1987	Stern et al.	401/146
*	C	US-4,134,697	01-1979	Sparr, Sr., Anders V.	401/276
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Mr. Tuan N. Nguyen
US Patent and Trademark Office
Washington, DC



July 17, 2006

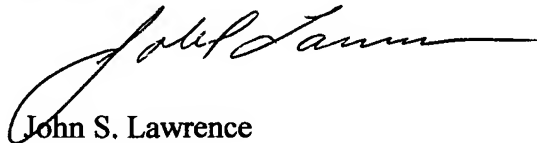
Dear Sir:

In reference to your recent office action summary for my patent application number 10/823,193, I have reviewed your comments and suggestions and rewritten the Abstract, it now being less than 150 words, as well as having rewritten the claims, in order to fully delineate my invention and differentiate its components and ultimate function from prior art. You make reference to US 5,139,357, wherein Reents describes an air actuated switch for painting system, and your comment was made that that patent "anticipated" my work. As you will note, although the drawing in Fig. 1, seems to suggest something similar to my invention, a close inspection will reveal that not only is there no mention of a standard, off the shelf paint brush, but that indeed, the applicator shown in the figure can not be considered to be anything more than a highly specialized and very expensive applicator, specifically designed for that system and in no way interchangeable with a standard, inexpensive, off the shelf paint brush. In its pictured embodiment, no mention or suggestion is given in that patent for the wide distribution of paint and its placement in the critical area of the near-end of the bristles of the brush, this area being the preferred area for paint to be present on a brush, just before being applied to a paintable surface. In addition, no mention or suggestion is given of the internal structure of the paint deliver tube, nor is consideration given to the maximum distribution of paint onto the brush surface as is described in my invention. Again, in your reference to patent # 4,639,156, Stern describes a system of paint delivery that again, in no way anticipates what is delineated in my invention, for paint delivery in that device is directed to a expensive and specialized paint roller or pad system and not to a standard, off the shelf paint brush. It would not be possible for either the Reents or Stern system to be connected to or to be used with a standard, off the shelf paint brush. My invention differs from the above sighted patents in many ways, but most importantly, my invention allows an operator to procure an inexpensive, readily available paint brush for the work of painting and not a specialized applicator which has limited availability to the operator in conventional stores carrying painting supplies and would, due to their complexity, be a very expensive alternative to the conventional paint brush. You also sight patent # 4,134,697, wherein Sparr shows a gravity feed of cleaning solution to a car-wash type brush. It is quite obvious when studying this invention that it in no way relates to my invention, in that, firstly, no mention of a paint brush is made, secondly, no suggestion of any form of surface painting is made with conventional or otherwise, paint, and thirdly, no mention or suggestion is made whereby the flow of material from the gravity feed line is to be evenly distributed onto the brush surface via control elements such a rigid tube

that is fully connected to a flexible paint tube and an attached distribution apron as featured in my invention.

In conclusion, my device as described in my patent application, "The Continuous Application of Paint, Via a Traditional Paint Brush", remains a unique solution to the problem of constantly re-loading a conventional paint brush with paint, and the use of my invention not only provides an operator with a huge time and energy saving, but allows the operator the option to use many differing types and sizes of conventional, off the shelf paint brushes. In addition, these type brushes are easily cleaned conventionally and can be re-used on my device over and over again, therefore further reducing the total overall cost of painting. If you have any further questions or comments, please please bring them to my attention at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "John S. Lawrence", written in dark ink.

John S. Lawrence

P.O. Box 41

Kemblesville, Pa. 19347